

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

IN RE: _____) Bankruptcy Case No. 24-50259
) Chapter 7
JULIO CESAR DE LA CRUZ and)
MELISSA DE LA CRUZ,)
)
)
Debtors.)

NOTICE OF OPPORTUNITY FOR HEARING (NO PROTEST)

The Trustee has filed a motion for authority to sell a one-half interest in a 2019 Kubota SN: KBUC1DHRTKGE32560 (the “Personal Property”) pursuant to 11 U.S.C. § 363 by public auction sale. The Motion is on file with the Clerk of the Bankruptcy Court for inspection by any interested party.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

TAKE NOTICE that the Personal Property will be sold via an online public auction. By separate Application, the Trustee has requested this Court to authorize the Trustee to retain the services of Iron Horse Auction Co., Inc., as auctioneer to conduct the proposed public sale. In the opinion of the Trustee and the proposed auctioneer, it would benefit the estate for the sale to be conducted as follows:

- (a) The auction will begin on December 2, 2024, at 8:00 a.m. and will conclude on December 9, 2024 at 12:00 p.m., subject to extended bidding whereby any bid on the Personal Property in the last five minutes of the auction will automatically extend the auction until there is a period of five minutes without any bidding activity;
- (b) William B. Lilly, Jr., of Iron Horse has offered to conduct the online auction sale for a seller’s commission of 0% of the final auction price of the Personal Property and a Buyer’s Premium of 10% of the final auction sales price of the Personal Property;
- (c) The Auctioneer further requests reimbursement of advertising campaign expenses not to exceed the sum of \$250.00; and
- (d) The Auctioneer further requests payment of a transport fee in the amount of \$150.00; and
- (e) The sale shall be AS IS, WHERE IS, AND WITHOUT WARRANTY.

TAKE FURTHER NOTICE that if you do not want the Court to allow the motion or if you want the Court to consider your views on the motion then **within 21 days of the date of this Notice**, you or your attorney must:

File with the Court a written request for a hearing, or if the Court requires a written response, an answer, explaining your position at: Clerk of Bankruptcy Court, 401 West Trade Street, Charlotte, North Carolina 28202.

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above. You must also mail a copy to:

John W. Taylor, Trustee
4530 Park Road, Suite 490
Charlotte, NC 28209

Shelley K. Abel
Bankruptcy Administrator
401 W. Trade Street, Suite 2400
Charlotte, NC 28202

IF RESPONSE FILED, attend the hearing scheduled to be held on **December 6, 2024 at 11:00 a.m.** at the U.S. Bankruptcy Court, First Floor, 200 West Broad Street, Statesville, North Carolina.

Take any other steps required to oppose a motion or objection under local rule or court order.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: October 21, 2024

/s/ John W. Taylor
John W. Taylor, Bar No. 21378
Attorney for Trustee
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